

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

<p><b>IN RE NAMENDA DIRECT PURCHASER ANTITRUST LITIGATION</b></p> <p><b>THIS DOCUMENT RELATES TO: All Direct Purchaser Actions</b></p>	<p><b>Case No. 1:15-CV-07488-CM-RWL</b></p>
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**NOTICE OF MOTION *IN LIMINE* NO. 6: PRECLUDE “LITIGATION RISK” OR “RISK AVERSION” OR PURPORTED “EARLY ENTRY” AS PROCOMPETITIVE JUSTIFICATIONS**

**PLEASE TAKE NOTICE** that upon the accompanying Memorandum, dated May 24, 2019, and the accompanying Declaration of Dan Litvin along with exhibits attached thereto, Direct Purchaser Class Plaintiffs, hereby submit a Motion to Preclude “Litigation Risk” or “Risk Aversion” or Purported “Early Entry” as Procompetitive Justifications.

Dated: May 24, 2019

Respectfully Submitted:

/s/ Dan Litvin

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 24, 2019, I electronically filed the above by CM/ECF system.

Respectfully submitted,

/s/ *Dan Litvin* -  
Dan Litvin